



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.08.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.A(MD)No.8 of 2018

WEB COPY

S.Krishnan

... Appellant/Sole Accused

Vs

State Through represented by
The Inspector of Police,
Vigilance and Anti-Corruption Cell,
Madurai.

In Crime No.17 of 2008.

... Respondent/Complainant

PRAYER: This Criminal Appeal is filed under Section 374(2) of Code of Criminal Procedure, to set aside the judgment of the Spl.Case No.66 of 2011, dated 23.11.2017 on the file of the Learned Special Judge, Vigilance and Anti-corruption Court, Madurai and acquit the appellant/accused herein from all the charges.

For Appellant : Mr.C.M.Arumugam

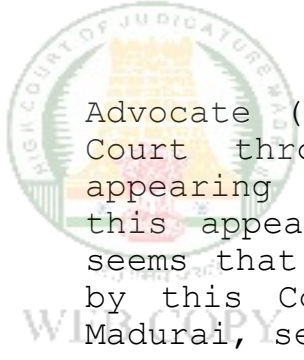
For Respondent : Mr.M.Muthumanikkam

JUDGMENT

The appellant herein is a sole accused in Spl.Case No.66 of 2011, on the file of the Learned Special Judge, Vigilance and Anti-Corruption Court, Madurai. By judgment, dated 23.11.2017, after full-fledged trial, the learned Special Judge, Vigilance and Anti-Corruption Court, Madurai came to the conclusion that the appellant is found guilty under Section 7 and 13(2) r/w 13(1) (d) of Prevention of Corruption Act. Further, convicted the appellant under Section 7 of the Prevention of Corruption and sentenced him to undergo Rigorous Imprisonment for two years and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for three months and further convicted him under Sections 13(1)(d) r/w 13(2) of Prevention of Corruption Act and sentenced him to undergo Rigorous Imprisonment for two years and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for three months. The sentences are directed to run concurrently.

2. Challenging the said conviction and sentence, the appellant preferred this appeal and the same is pending before this Court from the year 2018.

3. Today, when the matter is came up for hearing, the learned counsel appearing for the appellant and the learned Government



Advocate (Crl.side) appearing for the State appeared before this Court through Hybrid Mode. The learned Government Advocate appearing for the respondent would contend that the appellant in this appeal died on 04.02.2018. On verification of records, it seems that on 03.04.2018 itself in response to the direction given by this Court, the learned Special Judge, for P.C., Act Cases, Madurai, sent a letter to the Registry stating that the appellant is no more and along with the letter, the learned Special Judge enclosed the copy of the death certificate pertains to the appellant. Therefore, it concludes that the appellant herein died on 04.02.2018.

4. Hence, in view of the same, this Criminal Appeal is dismissed as abated.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

an

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Vigilance and Anti-Corruption Cell,
Madurai.
- 2.Special Judge, Vigilance and
Anti-corruption Court,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.A(MD)No.8 of 2018

Date: 06.08.2021